



DT07 Rec'd PCT/PTO 21 FEB 2003  
Box 500

#14

213202.00260

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	:	Examiner: Unknown
Richard T. PON, et al.	)	
	:	Group Art Unit: Unknown
Application No.: 09/720,907	)	
	:	
Filed: January 3, 2001	)	
	:	
For: REUSABLE SOLID SUPPORT	)	February 21, 2003
FOR OLIGONUCLEOTIDE	:	
SYNTHESIS	)	

Commissioner for Patents  
Washington, D.C. 20231

**ATTENTION: Ms. Barbara Campbell  
PCT Branch**

**RESPONSE TO SECOND NOTIFICATION OF DEFECTIVE RESPONSE**

Sir:

Initially, we again request that the Attorney Docket No. be changed to correctly read "213202.00260".

In response to the NOTIFICATION OF DEFECTIVE RESPONSE mailed January 24, 2003 (copy enclosed), please find enclosed:

- (i) A substitute copy (one sheet) of the sequence listing;
- (ii) A substitute electronic copy (on diskette) of the sequence listing;
- (iii) A copy of the Preliminary Amendment filed January 2, 2001;
- (iv) A new Third Preliminary Amendment directing entry of the sequence listing in the specification; and

- 1 -

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(v) A copy of a previously filed Request for Refund along with a copy of a Verified Small Entity Statement.

Applicants respectfully submit that the additional claim fee of \$1,746.00 is not due because of the filing of a Preliminary Amendment (copy enclosed) on January 2, 2001 amending the claims to cancel the multiple dependencies, and because the Third Preliminary Amendment submitted herewith cancels the multiple dependencies in Claims 18, 24, 63 and 161. However, Applicants' undersigned attorney authorizes the Commissioner to charge any fees believed due to Deposit Account No. 50-1710.

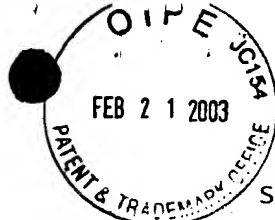
Applicants respectfully petition for a refund of the additional fees paid in this application. Enclosed is a copy of the Request for Refund filed on July 10, 2001 in this application, along with a copy of the Verified Small Entity Statement.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3500. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

  
\_\_\_\_\_  
Attorney for Applicants  
Dawn C. Hayes  
Registration No. 44,751

Patent Administrator  
KATTEN MUCHIN ZAVIS  
525 West Monroe Street  
Suite 1600  
Chicago, Illinois 60661-3693  
Facsimile: (312)906-1021



SEQUENCE LISTING

<110> University Technologies International Inc.  
<120> Reusable Solid Support for Oligonucleotide Synthesis  
<130> 213202.00260  
<140> 09/720,907  
<141> 2001-07-10  
<150> 60/091,683  
<151> 1998-07-02  
<160> 1  
<170> PatentIn version 3.0  
<210> 1  
<211> 20  
<212> DNA  
<213> Artificial  
<220>  
<223> Synthetic  
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<221> Misc-structure  
<222> (1) ... (20)  
<223> Synthetic  
<400> 1  
gcccaagctg gcatccgtca 20

#14



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/720,907	Richard T. Pon	9900004108

richard P Bauer  
Katten Muchin Zavis  
Suite 1600  
525 West Monroe Street  
Chicago, IL 60661 -3693

INTERNATIONAL APPLICATION NO.	
PCT/CA99/00600	
I.A. FILING DATE	PRIORITY DATE
06/30/1999	07/02/1998

CONFIRMATION NO. 7290  
371 FORMALITIES LETTER



\*OC00000009410160\*

Date Mailed: 01/24/2003

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Priority Document
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination
- Preliminary Amendments have not been entered because Claims 18, 24, 63 & 161 are multiple and have not been amended..

DOCKETED	
CMID	213202-00240
Action Type	Response due
Due/Final Dates	4/24/03 5/24/03
City	APB Sec
Docketed by	JPD Date 4/3/03

Applicant's response filed 01/11/2002 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 04/10/2001 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

Applicant is required to complete the response within a time limit of **ONE MONTH** from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Additionally the following defects have been observed:

JAN 31 2003

kmze/ah

- Additional claim fees of \$ 1764 as a non -small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$ 1764 for a Large Entity:

- Total additional claim fee(s) for this application is \$ 1764
  - \$8 for 2 independent claims over 3.
  - \$1476 for 249 total claims over 20.
  - \$280 for multiple dependant claims surcharge.

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 -1.825 for the following reason(s):
  - See attached Raw Sequence Listing Error Report.
  - **APPLICANT MUST PROVIDE:**
    - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821 -1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308 -4216
  - To Purchase PatentIn Software, call (703) 306 -2600
  - For PatentIn Software Program Help, call (703) 306 -4119 or e -mail at patin21help@uspto.gov or patin3help@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 305-3631

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/720,907	PCT/CA99/00600	9900004108



BC

## RAW SEQUENCE LISTING ERROR REPORT

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/720,907A  
Source: PCT09  
Date Processed by STIC: 12/4/02

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.

PATENTIN 2.1 e-mail help: [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or phone 703-306-4119 (R. Wax)

PATENTIN 3.0 e-mail help: [patin3help@uspto.gov](mailto:patin3help@uspto.gov) or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE **CHECKER VERSION 3.1 PROGRAM**, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:  
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7<sup>th</sup> Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202  
Or  
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202



Does Not Comply  
Corrected Diskette Needed

PCT09

## RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/720,907A

DATE: 12/04/2002

TIME: 12:44:47

Input Set : A:\seq.txt

Output Set: N:\CRF4\12032002\I720907A.raw

3 <110> APPLICANT: University Technologies International Inc.  
5 <120> TITLE OF INVENTION: Reusable Solid Support For Oligonucleotide Synthesis  
7 <130> FILE REFERENCE: 13202.00260  
9 <140> CURRENT APPLICATION NUMBER: 09/720,907A  
10 <141> CURRENT FILING DATE: 2001-07-10  
12 <150> PRIOR APPLICATION NUMBER: 60/091,683  
13 <151> PRIOR FILING DATE: 1998-07-02  
15 <160> NUMBER OF SEQ ID NOS: 1  
17 <170> SOFTWARE: PatentIn version 3.0  
19 <210> SEQ ID NO: 1  
20 <211> LENGTH: 20  
21 <212> TYPE: DNA  
22 <213> ORGANISM: Artificial Sequence  
W--> 24 <220> FEATURE:  
W--> 24 <223> OTHER INFORMATION:  
W--> 24 <400> 1  
25 gcccaagctg gcatccgtca

→ Error - see p. 2

20

RAW SEQUENCE LISTING ERROR SUMMARY  
PATENT APPLICATION: US/09/720,907A

DATE: 12/04/2002  
TIME: 12:44:48

Input Set : A:\seq.txt

Output Set: N:\CRF4\12032002\I720907A.raw

Use of <220> Feature (NEW RULES):

Sequence(s) are missing the <220> Feature and associated headings.

Use of <220> to <223> is MANDATORY if <213> ORGANISM is "Artificial Sequence" or "Unknown". Please explain source of genetic material in <220> to <223> section (See "Federal Register," 6/01/98, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of new Rules)

Seq#:1



**VERIFICATION SUMMARY**

PATENT APPLICATION: US/09/720,907A

DATE: 12/04/2002

TIME: 12:44:48

Input Set : A:\seq.txt

Output Set: N:\CRF4\12032002\I720907A.raw

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ORGANISM:Artificial Sequence

L:24 M:258 W: Mandatory Feature missing, <223> Tag not found for SEQ#:1, <213>  
ORGANISM:Artificial Sequence

L:24 M:258 W: Mandatory Feature missing, <223> Blank for SEQ#:1,Line#:24